

Message Text

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ACTION OES-04

INFO OCT-01 EUR-12 ISO-00 ACDA-05 CIAE-00 INR-07 IO-10

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FM USMISSION EC BRUSSELS

TO NRC WASHDC PRIORITY

INFO ERDA GERMANTOWN

SECSTATE WASHDC 9510

BRUSSELS

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NRC PASS H. BROWN, OI&SP. ERDA FOR N. SIEVERING, AIA. AMEMBASSY
BRUSSELS FOR LESSER.

E.O. 11652: N/A

TAGS: TECH

SUBJECT: PROPOSED AGREEMENT BETWEEN NRC AND BELGIUM

REF: A) STATE 208093 () STATE 199362 C) EC BRUSSELS 07682

D) STATE 209266

1. ERDA BRUSSELS RECEIVED TWO LETTERS ON SEPTEMBER 3 FROM THE
BELGIAN FOREIGN MINISTRY ON THE NRC-BELGIAN AGREEMENT IN WHICH
THEY FORMALLY EXPRESS A STRONG DESIRE THAT THE SIGNING TAKE
PLACE IN WASHINGTON. THEY CONFIRMED INFORMATION REPORTED EARLIER
THAT NECESSARY APPROVAL BY EUROPEAN COMMISSION CANNOT BE OBTAINED
IN TIME TO PERMIT SIGNING OF AGREEMENT BY WEEK OF SEPTEMBER 29.
THE TEXT OF THESE COMMUNICATIONS WITH INFORMAL TRANSLATIONS ARE
BEING MAILED TO YOU TODAY. ERDA BRUSSELS WILL PURSUE FURTHER
THRYING TO ARRANGE SINGING IN BRUSSELS WEEK OF SEPTEMBER 29 IF
NRC DESIRES, BUT ARE NOT OPTIMISTIC BELGIUM WILL AGREE OR CAN
SATISFY THEIR OWN RESPONSIBILITIES IN THIS TIME FRAME.

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2. PENDING THIS DECISION, NRC SHOULD CONSOLIDATE ITS POSITION

IN LIGHT OF FOLLOWING.

3. ON AUGUST 14, ERDA BRUSSELS FORWARDED TO NRC A COPY OF THE BELGAIN COUNTERPROPOSAL ON THE ORIGINAL DRAFT AGREEMENT PROPOSED BY NRC. IN STATE 199362 RECEIVED BY ERDA BRUSSELS ON AUGUST 25, NRC STATED THAT THEY ACCEPT THE GOB COUNTERPROPOSAL AND SUGGESTED SOME CLARIFYING LANGUAGE BE INCORPORATED. IN PARTICULAR, PARAGRAPHS 2, 3, 4 AND 5 OF REFTEL B CHANGED THE WORDING IN THOSE SECTIONS OF THE AGREEMENT DEALING WITH REACTOR SAFETY RESEARCH. PARAGRAPH 13 NOTED THAT NRC CLARIFICATIONS WERE NOT MANDATORY WITH THE EXCEPTION OF PATENT ADDENDUM.

4. THE NRC SUGGESTED CLARIFICATIONS WERE PROMPTLY FORWARDED TO THE APPROPRIATE BELGIAN MINISTRY. ON AUGUST 27, THE BELGIAN FOREIGN MINISTRY HELD AN INTERNAL MEETING TO DISCUSS THE SUGGESTED CLARIFYING LANGUAGE OFFERED BY NRC. ERDA BRUSSELS REPORTED THE SUBSTANCE OF THIS MEETING THROUGH 1) EC BRUSSELS 07682, 2) BY TELEPHONE TO LAFLEUR AND STELLA IN NRC, AND 3) BY LETTER, GIVING A CORRECTED VERSION OF THE DRAFT AGREEMENT WHICH INCORPORATED THE BELGIAN COMMENTS. AS POINTED OUT IN EC BRUSSELS 07682 PARAGRAPH 2, THE PROPOSED MODIFICATIONS SPELLED OUT IN PARAGRAPHS 2, 3, 4 AND 5 OF REFTEL B WERE NOT ACCEPTABLE TO THE BELGIANS BECAUSE THEY PLACED TO GREAT AN EMPHASIS ON REACTOR SAFETY RESEARCH.

5. ON THE MORNING OF SEPTEMBER 3, ERDA BRUSSELS RECEIVED STATE 208983 WHICH WAS ENTITLED NRC ACCEPTANCE OF BELGIAN COUNTERPROPOSAL AS PREVIOUSLY PROPOSED. PARAGRAPH 2 STATED THAT CHANGES IN REFTEL B WHICH CANNOT BE INCORPORATED CAN BE OMITTED. ON THE AFTERNOON OF SEPTEMBER 3, ERDA BRUSSELS MET WITH THE BELGIAN FOREIGN MINISTRY TO FINALIZE THE CHANGES DOCUMENTED IN EC BRUSSELS 07682.

6. ON THE MORNING OF SEPTEMBER 4, ERDA BRUSSELS RECEIVED STATE 209266 WHICH, IN PARAGRAPH 3, REQUESTS THAT PARAGRAPHS 3, 4 AND 5 OF STATE 199362 WITH A SLIGHT MODIFICATION TO THE END OF PARAGRAPH 5 AGAIN BE PLACED IN THE AGREEMENT. THIS APPEARS TO NOW REQUEST THAT THE LANGUAGE WHICH THE BELGIANS FELT OVEREMPHASIZED SAFETY RESEARCH AND WHICH YOU AGREED TO DELETE IN REFTEL B SHOULD AGAIN BE INCORPORATED INTO THE LIMITED OFFICIAL USE

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AGREEMENT.

7. AS ERDA BRUSSELS NOTED IN REFTEL C, GOB REQUESTED CLARIFICATION OF PATENT ADDENDUM AND MADE THIS A PREREQUISITE TO INCORPORATING THE PATENT ADDENDUM INTO THE AGREEMENT. REFTEL D STATES NRC IS PREPARING THE CLARIFICATION REQUESTED, BUT ITS DELIVERY TO GOB REMAINS ANOTHER FACTOR IN COMPLETING THE AGREEMENT.

8. ERDA BRUSSELS REQUESTS GUIDANCE PENDING FURTHER ACTION.
GREENWALD

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